IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

HON'BLE Mr. JUSTICE R. SUBHASH REDDY

Writ Petition No.8670 of 2000

Dated: October 3, 2007

Between:

K. Shyamala, D/o. Narahari, age: 42 years,
Occ: Mazdoor, R/o.Q.No.BH-76, Intermediate Colony,
Paloncha, Khammam District.

… Petitioner

And

The Chief Engineer/O&M, K.T.P.S.,
Paloncha, Khammam District, and another.

… Respondents

Order:

This writ petition has been filed seeking Mandamus to declare the notification issued by the first respondent in Memo No.CE/O&M/KTPS/ADM/A3/D.No.205/2000 dated 03-05-2000 as arbitrary and illegal.

2. In the affidavit filed in support of the writ petition, it is stated that petitioner was appointed as casual labourer on 01-05-1987 and later

her services were regularized in the post of Mazdoor. Petitioner claims to have passed M.A. and Typewriting English (lower grade). Pursuant to the impugned notification, he applied for the post of Lower Division Clerk (LDC). He questions the impugned notification mainly on the ground relaxation has been given in respect of technical qualification without any reason, i.e. qualification with regard to Typewriting English (lower grade) has been relaxed.

3. Respondents have filed counter affidavit stating that in view of large number of employees who are working in lower cadres and who do not possess technical qualification, i.e. a pass in Typewriting English (lower grade) made representation through respective Unions. It is stated that for the purpose of considering their claims, technical qualification was relaxed with a condition that they shall acquire the same within a certain period after appointment to the post of L.D.C. It is also stated that pursuant to the notification, selections were made and the petitioner was also promoted to the post of L.D.C. and she is working as such.

4. Though the petitioner has questioned the validity of the impugned notification, no interim orders have been passed by this court stopping the selection process. As much as appointments have already been made, any interference with the impugned notification will affect the rights of the persons who were appointed pursuant to the said notification. Petitioner has also not made the persons who were appointed to the post of L.D.C., party respondents to the writ petition. It appears that petitioner has also been subsequently promoted to the post of L.D.C. In that view of the matter, I do not find any valid ground to interfere with the impugned notification, at this stage.

5. The writ petition is accordingly dismissed. No order as to costs.

JUSTICE R. SUBHASH REDDY.

October 3, 2007
MRR